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*Attorneys for Plaintiff Snow Covered Capital, LLC*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SNOW COVERED CAPITAL, LLC,

Plaintiff,

vs.

JODI FONFA; EVAN FONFA, an individual  
and in his capacity as the Trustee of THE EVAN  
FONFA 2018 TRUST dated December 26, 2018;  
THE EVAN FONFA 2018 TRUST dated  
December 26, 2018; and DOE DEFENDANTS I  
THROUGH X,

Defendants.

Case No 2:22-cv-01181-CDS-BNW

**STIPULATION AND ORDER TO  
EXTEND TIME (AND SUSPEND  
LR 26-3'S FILING DEADLINE) IN  
ORDER TO CONCLUDE STIPULATION  
EXTENDING THE DISCOVERY AND  
OTHER DEADLINES**

Plaintiff Snow Covered Capital, LLC ("SCC"), Defendant Jodi Fonfa, and Defendant Evan  
Fonfa and the Evan Fonfa 2018 Trust (collectively "Evan"), acting by and through their counsel of  
record, hereby stipulate and agree as follows:

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1           **WHEREAS**, SCC intends to file a motion to extend the discovery and other scheduled  
2 deadlines in this litigation; and

3           **WHEREAS**, Defendant Jodi Fonfa has agreed that the discovery and other scheduled  
4 deadlines in this litigation need to be extended;

5           **WHEREAS**, Defendant Evan’s counsel, Dana Dwiggins, has been outside the country for  
6 several weeks and will not return until at least February 13, 2024, thereby preventing the Parties  
7 from having a material discussion regarding the extension of discovery and other scheduled  
8 deadlines in this litigation;

9           **WHEREAS**, Evan has no other counsel of record in this case;

10           **WHEREAS**, Local Rule 26-3 provides that “[a] motion or stipulation to extend a deadline  
11 set forth in a discovery plan must be received by the Court no later than 21 days before the subject  
12 deadline”;

13           **WHEREAS**, the current discovery cutoff is March 1, 2024 and the 21 day deadline would  
14 require SCC’s motion to be filed on Friday, February 9, 2024;

15           **WHEREAS**, the parties currently believe that they can stipulate to the SCC-proposed  
16 schedule; that the motion to extend (and the related response and reply briefing) may not be  
17 necessary at all; and that the prudent and cost-efficient action in these circumstances is to suspend  
18 Rule 26-3’s 21-day requirement in the expectation that the parties will conclude a comprehensive  
19 scheduling stipulation upon Ms. Dwiggins’ return;

20           **WHEREAS**, Ms. Dwiggins’ partner, Alexander LeVeque was able to contact her to discuss  
21 the situation; and

22           **WHEREAS**, Mr. LeVeque has advised that Ms. Dwiggins agrees to this stipulation, has  
23 authorized him to sign it on her behalf, and that she will be addressing the larger stipulation upon  
24 her return.

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**NOW, THEREFORE, THE PARTIES STIPULATE AND AGREE** that Rule 26-3's filing deadline should be suspended until after Ms. Dwiggins' return and further, that they will either file a scheduling stipulation or a timely-filed contested SCC motion regarding the discovery deadlines no later than Monday, February 19, 2024.

Dated: February 9, 2024.

THE JIMMERSON LAW FIRM, P.C.

/s/ James M. Jimmerson

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*Attorneys for Defendant Jodi Fonfa*

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/s/ Dana Dwiggins by Alexander LeVeque

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*Attorneys for Defendants Evan Fonfa; The Evan Fonfa 2018 Trust dated December 26, 2018; and Evan Fonfa, as Trustee on behalf of The Evan Fonfa 2018 Trust dated December 26, 2018*

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/s/ Bob L. Olson

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*Attorneys for Plaintiff Snow Covered Capital LLC*

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**ORDER**

LR 26-3's 21-day filing deadline is hereby suspended to provide the parties time to meet and confer regarding SCC's proposed revisions to the operative discovery schedule upon Ms. Dwiggins' return to the United States. If the parties do not reach and file a stipulation requiring the discovery schedule by February 16, 2024, SCC may timely file its motion by the following Monday, February 19, 2024.

  
\_\_\_\_\_  
U.S. MAGISTRATE JUDGE

Dated: 2/12/2024

Respectfully submitted by:

SNELL & WILMER L.L.P.

/s/ Bob L. Olson

\_\_\_\_\_  
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LLC*

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 9, 2024, I electronically filed the foregoing **STIPULATION AND ORDER TO EXTEND TIME (AND SUSPEND LR 26-3'S FILING DEADLINE) IN ORDER TO CONCLUDE STIPULATION EXTENDING THE DISCOVERY AND OTHER DEADLINES** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 9th day of February 2024.

/s/ Mary Full  
An employee of Snell & Wilmer L.L.P.